THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 4875 of 2003

Dated: 01.08.2007

Between:

Smt. K.V. Nagamani, W/o Satyanarayana,
Ex-F.P. Shop Dealer, Mettavalasa village,
Bobbili Mandal, Vizianagaram Dist.

..... PETITIONER

AND

The Collector and District Magistrate,
Vizianagaram and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 4875 of 2003

Order:

The petitioner was a Fair Price Shop dealer of Mettavalasa village, Bobbili Mandal, Vizianagaram District. When she failed to lift the essential commodities from September 2000 to November 2001, the 3rd respondent-Revenue Divisional Officer issued a show cause notice dated 12.01.2002 calling upon her to show cause within seven days from the date of receipt of said notice as to why her authorization should not be cancelled, for which she has not submitted any explanation nor attended before the 3rd respondent-Revenue Divisional Officer to put forth her case, in spite of granting sufficient time. Hence, the 3rd respondent-Revenue Divisional Officer, after taking the said aspects into consideration, cancelled the authorisation of the petitioner, by proceedings dated 02.05.2002. Aggrieved by the same, the petitioner filed an appeal before the 2nd respondent-Joint Collector and the same was dismissed, by orders dated 29.10.2002. Against the said dismissal order, she filed revision petition before the 1st respondent-District Collector, which was also dismissed, by orders dated 15.01.2003. Aggrieved by the same, the petitioner filed the present writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies, and perused the material on record.

A perusal of the impugned order clearly shows that the petitioner failed to lift the essential commodities from September 2000 to November 2001. It further shows that the petitioner also failed to give

any reply to the show cause notice or to appear before the 3rd respondent-Revenue Divisional Officer to put forth her case, in spite of granting sufficient opportunity, which clearly demonstrates that the petitioner is not interested to continue as a Fair Price Shop Dealer. That apart, as per the Circular instructions issued by the Commissioner in Ref. No. PDS 12/1420/97, if any dealer failed to lift the stocks continuously for a period of two months the Revenue Divisional Officer shall take action to cancel his/her authorisation, and in the instant case, since the petitioner failed to lift the essential commodities for a period of more than one year i.e., from September 2000 to November 2001, and caused much inconvenience to the Cardholders, the authorisation of the petitioner was cancelled by the 3rd respondent, which action was affirmed by the appellate and revisional authorities. In the circumstances, I see no reason to interfere with the action taken by the respondents in cancelling the authorisation of the petitioner.

The writ petition is devoid of merit and the same is accordingly dismissed. No costs.

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N.V. RAMANA, J.

Date: 01.08.2007
Nsr